

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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RLI INSURANCE COMPANY	)	Civil Action No.: 05-858 JJF
	)	
Plaintiff,	)	
vs.	)	
	)	
INDIAN RIVER SCHOOL, DISTRICT,	)	
EDIS COMPANY, AND BECKER MORGAN	)	
GROUP, INC.	)	
Defendants.	)	

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**SECOND STIPULATION TO AMEND THE RULE 16 CASE SCHEDULING ORDER**

WHEREAS, the undersigned parties, through their respective counsel, have conferred and agreed to participate in a Mediation of all the claims *sub judice* on June 14<sup>th</sup> and 15<sup>th</sup> of 2007, and understand that the deposition of one fact witness, Chris McCone, can only occur on June 6, 2007, due to his present deployment in Iraq;

IT IS HEREBY STIPULATED by and between the undersigned parties, through their respective counsel, and subject to the Court's approval, that the Rule 16 Scheduling Order dated July 13, 2006, be amended as follows:

**3. Discovery.**

(d) Maximum of **10** depositions by each party excluding expert depositions. **Fact depositions shall be completed by June 6, 2007.**

(e) Reports from retained experts required by Fed. R. Civ. P. 26(a)(2) are due from the plaintiff(s) by **July 31, 2007**; from the defendant(s) by **August 31, 2007**.

**6. Case Dispositive Motions.**

Any case dispositive motions, pursuant to the Federal Rules of Civil Procedure, shall be served and filed with an opening brief on or before **September 28, 2007**. Briefing shall be

pursuant to D.Del. LR 7.1.2. No case dispositive motion may be filed more than ten (10) days from the above date without leave of the Court. The Court will issue a separate Order regarding procedures for filing summary judgment motions.

**9. Pretrial Conference and Trial.**

The Pretrial Conference presently scheduled for Thursday, September 6, 2006 at 11:00 a.m. pursuant to Order of the Court, dated July 19, 2006 (D.I. # 26) is hereby re-schedule for December \_\_\_, 2007.

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Dated: April 27, 2007

Dated: April 27, 2007

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/s/ James S. Green  
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Dated: April 27, 2007

Dated: April 27, 2007

**SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.**

**The Honorable Joseph J. Farnan**